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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

Case Nos. BK-S-06-10725 LBR
 Case Nos. BK-S-06-10726 LBR
 Case Nos. BK-S-06-10727 LBR
 Case Nos. BK-S-06-10728 LBR
 Case Nos. BK-S-06-10729 LBR

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

Chapter 11

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED
 FUND, LLC,
 Debtor.

Jointly Administered Under
 Case No. BK-S-06-10725 LBR

In re:
 USA CAPITAL FIRST TRUST DEED FUND,
 LLC,
 Debtor.

**NOTICE OF HEARING OF MOTION
 FILED UNDER SEAL [AFFECTS
 DEBTOR USA COMMERCIAL
 MORTGAGE COMPANY]**

In re:
 USA SECURITIES, LLC,
 Debtor.

Affects:
☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

Date: November 28, 2006
 Time: 3:00 p.m.
 Foley Federal Bldg
 Courtroom # 1

1 TO: ALL PARTIES IN INTEREST

2 PLEASE TAKE NOTICE that Debtor in Possession USA COMMERCIAL MORTGAGE
3 COMPANY ("USACM" or "Debtor"), by and through its counsel, Ray Quinney & Nebeker P.C.
4 and Schwartzer & McPherson Law Firm, has filed an Application To File Motion Under Seal (the
5 "Motion"). An Order Granting Ex Parte Application To File Motion Under Seal was entered on
6 October 18, 2006 (the "Order"). The Order provides that the contents of the Motion shall be held
7 and remain confidential. The Motion has been served upon certain designated parties and these
8 parties should review the contents of the Motion for notice of the relief that is sought.

9 Any Opposition must be filed pursuant to Local Rule 9014(d)(1).

10 Local Rule 9014(d)(1): "Oppositions to a motion must be filed and
11 service must be completed on the movant no later than fifteen (15)
12 days after the motion is served except as provided by LR 3007(b)
13 and LR 9006. If the hearing has been set on less than fifteen (15)
14 days' notice, the opposition must be filed no later than five (5)
15 business days before the hearing, unless the court orders otherwise.
The opposition must set forth all relevant facts and any relevant
legal authority. An opposition must be supported by affidavits or
declarations that conform to the provisions of subsection (c) of this
rule."

16 If you object to the relief requested, you *must* file a WRITTEN response to this pleading
17 with the court. You *must* also serve your written response on the person who sent you this notice.

18 If you do not file a written response with the court, or if you do not serve your written
19 response on the person who sent you this notice, then:

- 20 • The court may *refuse to allow you to speak* at the scheduled hearing; and
- 21 • The court may *rule against you* without formally calling the matter at the
22 hearing.

23 NOTICE IS HEREBY GIVEN that the hearing on the Motion filed under seal will be held
24 before a United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard
25 South, 3rd Floor, Las Vegas, Nevada on November 28, 2006 at 3:00 p.m.

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1 NOTICE IS FURTHER GIVEN that the hearing on the Motion may be continued without
2 further notice.

3 DATED: November 3, 2006

4 Annette W. Jarvis, Utah Bar No. 1649
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10 Salt Lake City, Utah 84145-0385

11 and

12 /s/ Jeanette E. McPherson

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14 Jeanette E. McPherson, Esq., Nevada Bar No. 5423
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